

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

MARCUS JOSHUA TRULL, JR.,

Plaintiff,

v.

CITY OF LODI et al.,

Defendants.

No. 2:23-cv-01177-CKD

ORDER

On June 20, 2023, this case was assigned solely to the undersigned pursuant to Appendix A of the court's Local Rules. (ECF No. 1.) Under the Initial Scheduling Order, all parties are to inform the Clerk of Court of their decision whether to Consent or Decline magistrate judge jurisdiction for all purposes in this case by filing their Consent/Decline form (ECF No. 4-1). (ECF No. 4 at 2, para. 2.)

Defendants filed a motion to dismiss and set it for a hearing on September 27, 2023 before the undersigned. (ECF No. 7.) However, a review of the docket shows that not all parties have filed their Consent/Decline forms.

For proper case administration, each party must inform the Clerk of Court whether it consents to magistrate judge jurisdiction for all purposes within seven days of this order. There is no obligation to consent, and no judge will be notified of a party's decision unless all parties have


consented. See Fed. R. Civ. P. 73(b)(1). If all parties consent, the motion can then be heard by Judge Delaney. If a party declines, the Clerk of Court will randomly assign a district judge who would hear defendants' motion.

**ORDER**

Accordingly, it is HEREBY ORDERED That:

1. The September 27, 2023 hearing on defendants' motion to dismiss is VACATED;
2. Any party who has not submitted their Consent/Decline form shall do so within 7 days of this order; and
3. After all Consent/Decline forms have been filed, defendants may re-notice the motion before the appropriate judge.

Dated: August 28, 2023

  
CAROLYN K. DELANEY  
UNITED STATES MAGISTRATE JUDGE

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